

MAINE STATE LEGISLATURE

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L.D. 385

DATE: 6/14/5

(Filing No. H-693)

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
122ND LEGISLATURE
FIRST SPECIAL SESSION

HOUSE AMENDMENT "A" to H.P. 287, L.D. 385, Bill, "An Act To Limit the Liability of Ambulance Services in Maine"

Amend the bill by striking everything after the enacting clause and before the summary and inserting in its place the following:

'Sec. 1. 14 MRSA §8102, sub-§1-A, as amended by PL 1995, c. 161, §1, is repealed and the following enacted in its place:

1-A. Emergency medical service. "Emergency medical service" means:

A. A nonprofit, incorporated ambulance service or nontransporting emergency medical service licensed under Title 32, chapter 2-B, receiving full or partial financial support from or officially recognized by the State, a municipality or county or an entity created under Title 30-A, chapter 115 or 119, except when the emergency medical service is acting outside the scope of activities expressly authorized by the State, municipality, county or entity created under Title 30-A, chapter 115 or 119; and

B. A for-profit, incorporated ambulance service or nontransporting emergency medical service licensed under Title 32, chapter 2-B only when the emergency medical service is acting within the scope of emergency response

2023

2 activities expressly authorized by a contract between the
3 emergency medical service and the State, municipality,
4 county or entity created under Title 30-A, chapter 115 or
5 119.

6 Sec. 2. 32 MRSA §93-C is enacted to read:

8 §93-C. Liability insurance

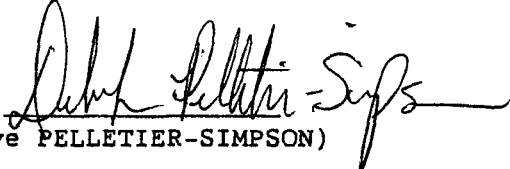
10 1. Procurement of coverage. An ambulance service may not
11 be required to procure liability insurance coverage that exceeds
12 the liability limits specified in Title 14, sections 8104-D and
13 8105 while acting as an emergency medical service as defined in
14 Title 14, section 8102, subsection 1-A.

16 2. Coverage required by insurer. An insurer providing
17 insurance to an ambulance service may not require coverage that
18 exceeds the liability limits specified in subsection 1.'

20 SUMMARY

22 This amendment replaces the bill. It provides that a
23 for-profit, incorporated emergency medical service is covered by
24 the Maine Tort Claims Act only when it is acting within the scope
25 of emergency response activities authorized by a contract between
26 the emergency medical service and the governmental entity.

28 This amendment provides that an ambulance service cannot be
29 required to procure insurance coverage beyond the liability
30 limits of the Maine Tort Claims Act for any liability that falls
31 under the application of the Maine Tort Claims Act. This
32 amendment also provides that an insurer cannot require coverage
33 for liability beyond the liability limits when applicable.

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38 SPONSORED BY: 
39 (Representative PELLETIER-SIMPSON)

40 TOWN: Auburn
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